

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) 2:08-CR-311-RLH-(GWF)
ARMAN PALIKYAN,)
ARMEN AMBARTSUMYAN,)
GARY AMBARTSUMYAN,)
ARTUR AMBARTSUMYAN,)
IYAD NAZZAL, and)
DANIMYAR DOSUNKULOV,)
Defendant.)
)

AMENDED FINAL ORDER OF FORFEITURE

On February 17, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(B); Title 18, United States Code, Section 1029(c)(1)(C); and Title 21, United States Code, Section 853(p); based upon the plea of guilty by defendant ARMEN AMBARTSUMYAN to criminal offenses, forfeiting specific property alleged in the Second Superseding Criminal Indictment and agreed to in the Plea Memorandum and shown by the United States to have a requisite nexus to the offense to which defendant ARMEN AMBARTSUMYAN pled guilty. Second Superseding

1 Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No. 270; Preliminary Order of
2 Forfeiture, ECF No. 271; Plea Memorandum, ECF No. 272; Final Order of Forfeiture, ECF No. 313.

3 On March 3, 2011, the United States District Court for the District of Nevada entered a
4 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States
5 Code, Section 982(a)(1); Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United
6 States Code, Section 2461(c); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United
7 States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(B); Title 18, United
8 States Code, Section 1029(c)(1)(C); Title 18, United States Code, Sections 1956(c)(7)(a) and
9 1961(1)(B); and Title 21, United States Code, Section 853(p); based upon the plea of guilty by
10 defendant ARMAN PALIKYAN to criminal offenses, forfeiting specific property alleged in the
11 Second Superseding Criminal Indictment and agreed to in the Plea Memorandum and shown by the
12 United States to have a requisite nexus to the offense to which defendant ARMAN PALIKYAN pled
13 guilty. Second Superseding Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No.
14 285; Plea Memorandum, ECF No. 287; Preliminary Order of Forfeiture, ECF No. 291; Final Order of
15 Forfeiture, ECF No. 331.

16 On March 4, 2011, the United States District Court for the District of Nevada entered a
17 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States
18 Code, Section 981(a)(1)(A) and Title 18, United States Code, Section 2461(c); Title 18, United States
19 Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States
20 Code, Section 982(a)(1); Title 18, United States Code Sections 1956(c)(7)(A) and 1961(1)(B); and
21 Title 21, United States Code, Section 853(p); based upon the plea of guilty by defendant IYAD
22 NAZZAL to criminal offenses, forfeiting specific property alleged in the Second Superseding
23 Criminal Indictment and agreed to in the Plea Memorandum and shown by the United States to have a
24 requisite nexus to the offense to which defendant IYAD NAZZAL pled guilty. Second Superseding
25 Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No. 281; Plea
26 . . .

1 Memorandum, ECF No. 282; Preliminary Order of Forfeiture, ECF No. 294; Final Order of Forfeiture,
2 ECF No. 332.

3 On March 7, 2011, the United States District Court for the District of Nevada entered a
4 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States
5 Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c); Title 18, United States
6 Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States
7 Code, Section 982(a)(1); Title 18, United States Code, Section 982(a)(2)(B); Title 18, United States
8 Code, Section 1029(c)(1)(C); Title 18, United States Code Sections 1956(c)(7)(A) and 1961(1)(B);
9 and Title 21, United States Code, Section 853(p); based upon the plea of guilty by defendant ARTUR
10 AMBARTSUMYAN to criminal offenses, forfeiting specific property alleged in the Second
11 Superseding Criminal Indictment and agreed to in the Plea Memorandum and shown by the United
12 States to have a requisite nexus to the offense to which defendant ARTUR AMBARTSUMYAN pled
13 guilty. Second Superseding Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No.
14 295; Plea Memorandum, ECF No. 296; Preliminary Order of Forfeiture, ECF No. 297; Final Order of
15 Forfeiture, ECF No. 345.

16 On March 8, 2011, the United States District Court for the District of Nevada entered a
17 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States
18 Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c); Title 18, United States
19 Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States
20 Code, Section 982(a)(1); Title 18, United States Code, Section 982(a)(2)(B); Title 18, United States
21 Code, Section 1029(c)(1)(C); Title 18, United States Code Sections 1956(c)(7)(A) and 1961(1)(B);
22 and Title 21, United States Code, Section 853(p); based upon the plea of guilty by defendant GARY
23 AMBARTSUMYAN to criminal offenses, forfeiting specific property alleged in the Second
24 Superseding Criminal Indictment and agreed to in the Plea Memorandum and shown by the United
25 States to have a requisite nexus to the offense to which defendant GARY AMBARTSUMYAN pled
26 guilty. Second Superseding Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No.

1 299; Preliminary Order of Forfeiture, ECF No. 300; Plea Memorandum, ECF No. 301; Final Order of
2 Forfeiture, ECF No. 343.

3 On March 8, 2011, the United States District Court for the District of Nevada entered a
4 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States
5 Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c); Title 18, United States
6 Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States
7 Code, Section 982(a)(1); Title 18, United States Code Sections 1956(c)(7)(A) and 1961(1)(B); and
8 Title 21, United States Code, Section 853(p); based upon the plea of guilty by defendant DANIMYAR
9 DOSUNKULOV to criminal offenses, forfeiting specific property alleged in the Second Superseding
10 Criminal Indictment and agreed to in the Plea Memorandum and shown by the United States to have a
11 requisite nexus to the offense to which defendant DANIMYAR DOSUNKULOV pled guilty. Second
12 Superseding Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No. 275; Plea
13 Memorandum, ECF No. 276; Preliminary Order of Forfeiture, ECF No. 302; Final Order of Forfeiture,
14 ECF No. 317.

15 This Court finds the United States of America published the notice of forfeiture in accordance
16 with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively
17 from March 8, 2011, through April 6, 2011 (ECF Nos. 305-306), and March 22, 2011, through April
18 20, 2011 (ECF Nos. 307-309), further notifying all known third parties by personal service or by
19 regular mail and certified mail return receipt requested, of their right to petition the Court. Notice of
20 Filing Proof of Publication, ECF Nos. 305-309; Notice of Filing Service of Process, ECF No. 365.

21 After a preliminary order of forfeiture was executed by the Court, pertaining to all the seized
22 items, the United States notified all known and interested parties of the United States' interest in
23 forfeited items, including the 2008 black Mercedes-Benz wagon, identified as Item No. "aan" below.
24 Thereafter, Victoria Berberian made her interest in the car known and on June 10, 2011, the United
25 States and Victoria Berberian entered into a Stipulation pertaining to the disposition of the Mercedes-
26 . . .

1 Benz vehicle that was filed with this Court on June 10, 2011. Sentencing Minutes, ECF No. 327.
2 Order Granting Stipulation for Return of Property, ECF No. 330.

3 On October 31, 2012, Jon Cestia, Vice President of BMW Financial Services N.A., LLC, was
4 served by certified mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing
5 Service of Process, ECF No. 365, p. 2 and 5-57.

6 On October 31, 2012, Ms. Lisa McKinnon, BMW Financial Services N.A., LLC, was served
7 by certified mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of
8 Process, ECF No. 365, p. 3 and 5-57.

9 On October 31, 2012, Legal Team, BMW Financial Services N.A., LLC, was served by
10 certified mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of
11 Process, ECF No. 365, p. 4-57.

12 On January 17, 2013, BMW Financial Services NA, LLC filed a motion as to Gary
13 Ambartsumyan, a Petition for Declaration of Interest in Seized and Forfeited Property, in regards to a
14 2008 white BMW M5, VIN WBSNB93548CX09044. Sealed Motion, ECF No. 362.

15 On April 30, 2013, the United States filed a proposed Settlement Agreement, Stipulation for
16 Entry of Order of Forfeiture as to BMW Financial Services NA, LLC, and Order. Stipulation, ECF No.
17 366.

18 On May 1, 2013, the Court entered an Order granting the Settlement Agreement as to BMW
19 Financial Services NA, LLC. Order on Stipulation, ECF No. 368.

20 This Court finds no other petition was filed herein by or on behalf of any person or entity and
21 the time for filing such petitions and claims has expired.

22 This Court finds no petitions are pending with regard to the assets named herein and the time
23 for presenting such petitions has expired.

24 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
25 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
26 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.

1 32.2(c)(2); Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States Code,
2 Section 2461(c); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,
3 2461(c); Title 18, United States Code, Section 982(a)(1); Title 18, United States Code, Section
4 982(a)(2)(B); Title 18, United States Code, Section 1029(c)(1)(C); Title 18, United States Code,
5 Sections 1956(c)(7)(a) and 1961(1)(B); and Title 21, United States Code, Section 853(n)(7) and (p)
6 and shall be disposed of according to law:

- 7 a. Sony Brown 42" Lcd Tv, S/N 1050106;
- 8 b. Sony Brown 42" Lcd Tv, S/N 1002050;
- 9 c. Dell Model 1320 Laser Printer, S/N 35rphf1;
- 10 d. Dell Model 1850 Laser Printer, S/N H1c34091;
- 11 e. Acer Laptop, S/N Lxal70x043820001ef2513;
- 12 f. Dell Xps Laptop, S/N 5vg3kd1;
- 13 g. Apple Mac Laptop, S/N W8807f5dop1;
- 14 h. Hp Laptop, S/N 2ce7222m6q;
- 15 i. Mac Book Air, S/N W8813ppuy51;
- 16 j. Miscellaneous Cards, Cables, Remotes, Controllers, Stands;
- 17 k. 3.5 X Drive, Extend Harddrive, S/N 020851;
- 18 l. Apple Tv, S/N 6f8182w04cp;
- 19 m. Wd External Hard Drive, S/N Wxh207674808;
- 20 n. Msr 206 Encoder, S/N A015401;
- 21 o. Psp Portable, S/N Pp865026504-Psp1001;
- 22 p. Psp Portable, S/N At045924040-Psp2001;
- 23 q. Ipod Touch 16 Bg, S/N 1c80167a/4p;

- 1 r. Iphone, S/N 5k81880jwh8;
- 2 s. Iphone, S/N Bcga1241;
- 3 t. Iphone, S/N 5k80247kwh8;
- 4 u. Iphone, S/N 579ca1241;
- 5 v. Sandisk 2 Gb Flashdrive, S/N 2048rb;
- 6 w. Sandisk 4 Gb Flashdrive, S/N 4096rb;
- 7 x. Sandisk 1 Gb Flashdrive, S/N 1024rb;
- 8 y. Pny Attache 1 Gb Flashdrive, No S/N;
- 9 z. Logitech Mx Revolution Thumbdrive, S/N 810-000412;
- 10 aa. Iron Key Thumbdrive, S/N 0140485;
- 11 ab. Iron Key Thumbdrive, S/N 0140551;
- 12 ac. Dell Xps Tower, S/N 30gzcg1;
- 13 ad. Playstation 3, S/N Ce124062502-Cecha01;
- 14 ae. Playstation 3, S/N Ce514635354-Cechg01;
- 15 af. Xbox 360, S/N 311730682105;
- 16 ag. Xbox 360, No S/N;
- 17 ah. 1 - Xbox 360 Video Game;
- 18 ai. 11 - Playstation 3 Video Games;
- 19 aj. 6 - Psp Games In Case;
- 20 ak. 35 - Blue Ray Movies;
- 21 al. Wtj-90a Tipper;
- 22 am. \$3,000 Cash (From Gary Ambartsumyan's room);
- 23 an. \$4900 Cash (From Artur Ambartsumyan's room);

- ao. \$14,802.63 in Money Gram Money Orders;
- ap. Mens' Breitling Bentley Watch, S/N A25362; and
- aq. Mens' Breitling Bentley Watch;
- ar. counterfeit access device containing unauthorized account information for Visa debit card account in the name of M.V., account number ending in X-4923;
- as. counterfeit access device containing unauthorized account information for Visa debit card account in the name of G.V., account ending in X-2319;
- at. counterfeit access device containing unauthorized account information for Visa debit card account in the name of C.D., account ending in X-1918;
- au. counterfeit access device containing unauthorized account information for a Bank of America Visa debit card account, account ending in X-7119;
- av. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of J.R., account ending in X-4609;
- aw. counterfeit access device containing unauthorized account information for a Bank of America Visa debit card account in the name of B.J., account ending in X-1577;
- ax. counterfeit access device containing unauthorized account information for a Bank of America Visa debit card account, account ending in X-8491;
- ay. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account, account ending in X-6657;
- az. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account, account ending in X-9612;

- aaa. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of G.S., account ending in X-2034;
- aab. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of C.S., account ending in X-3846;
- aac. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of S.K., account ending in X-5010;
- aad. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of E.H., account ending in X-4275;
- aae. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of B.W., account ending in X-7341;
- aaf. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account, account ending in X-3019;
- aag. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of D.R., account ending in X-4018;
- aah. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account, account ending in X-7017;

- 1 aai. counterfeit access device containing unauthorized account information for Bank
- 2 of America Visa debit card account, account ending in X-6691;
- 3 aaj. counterfeit access device containing unauthorized account information for
- 4 Wells Fargo debit card account, number ending in X-4424;
- 5 aak. counterfeit access device containing unauthorized account information for a
- 6 Wells Fargo debit card account, account number ending in X-7930;
- 7 aal. counterfeit access device containing unauthorized account information for a
- 8 Wells Fargo debit card account, number ending in X-6110;
- 9 aam. 2008 White BMW M5, VIN WBSNB93548CX09044;
- 10 aan. 2008 Black Mercedes Benz G-500 Wagon, VIN WDCYR49E38X171546;
- 11 aao. 2006 Black Quad Cab Dodge Dakota Truck, VIN 1D7HA18286J185015; and
- 12 aap. an *in personam* criminal forfeiture money judgment of \$663,089.35 in United
- 13 States Currency (“the property”).

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
17 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
18 income derived as a result of the United States of America’s management of any property forfeited
19 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.
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The Clerk is hereby directed to send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office.

16th
DATED this day of May 2013.



UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, Ray Southwick, Forfeiture Support Associates Paralegal, certify that the following individuals were served with copies of the Amended Final Order of Forfeiture on May 15, 2013, by the below identified method of service:

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